



Missouri State Auditor

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FOR IMMEDIATE RELEASE

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Schweich Releases Audit of Missouri Attorney General's Office

JEFFERSON CITY (June 27, 2012) – **State Auditor Tom Schweich** released the audit of Missouri Attorney General's (AGO) office today. In the areas audited, the overall performance of this entity was **Fair**.

The AGO retained the right to reject proposals for contingency fee contracts even though state law does not include any provision for doing so once the Office of Administration (OA) has taken over the bid process. As of April 2012, bids/responses to three different request for proposals (RFP) were being evaluated related to lawsuits regarding 1) the drug Avandia, 2) the Petroleum Storage Tank Insurance Fund, and 3) the pharmaceutical industry's use of average wholesale pricing violations. The state may recover a substantial amount of monies from these three lawsuits, and the chosen law firms may receive significant fees. The audit concluded the AGO should not retain the power to reject responses or solicit new responses for contingency fee contracts after it requests the OA to handle the procurement process.

The attorney general also accepted campaign contributions from law firms that submitted proposals. During 2011, 13 out of 28 law firms (46 percent) and/or members of the firms that submitted proposals on one or more of these RFP's made campaign contributions to the attorney general totaling more than \$170,000.

After the auditor's office discussed its concern with the AGO retaining control over this procurement process, the AGO withdrew the RFP's.

For the three years ended June 30, 2011, the AGO spent approximately \$4.6 million for legal and expert witness services, but the AGO does not always prepare and retain documentation to show how and why it selected those particular attorneys and experts.

To view the complete report, Citizens Summary and audit rating scale, visit:
<http://auditor.mo.gov/CitzSumm/2012-55.pdf>

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